

REMARKS/ARGUMENTS

I. Status of Claims

Claim 1 is amended.

Claims 10-33 are canceled.

Claims 1-9 are pending.

II. Sherman Does Not Anticipate Claim 1

In the advisory Action, on page 2, the examiner stated “amendment to claim 1 would require the re-instatement of the art rejection over at least Sherman.”

Applicants disagree. In the Office Action dated November 3, 2008, the examiner rejected claim 1 under §102(b) over Sherman et al. (1983), *Cancer Research*, vol. 43, p. 4283 with respect to the compounds Ro 14-3899, Ro 14-9572 and Ro-15-1570. However, as applicants explained in the Response to Office Action filed, March 2, 2009, compounds Ro 14-3899, Ro 14-9572 of Sherman are different from the structure of the compounds claimed. Hence, these compounds from Sherman are not relevant to the presently pending claims.

In the Response to Office Action filed March 2, 2009, claim 1 was further amended to exclude the structure of Ro-15-1570 from the formula (II) as claimed. Accordingly, the examiner withdrew the 102(b) rejection over Sherman et al., on page 2 of the Office Action, mailed April 10, 2009. Thus, Sherman does not teach all the limitations of the pending claims.

Applicants request the Examiner to withdraw the section 102 rejection and move the claims towards allowance.

Summary

Method claims 21-25 are canceled reserving the right to prosecute them in one or more continuing applications. Therefore, the examiner’s remaining §112 rejections are now moot.

No other fees are believed due at this time, however, please charge any deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number (43512-104182).

Respectfully submitted,

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